

- 1 18. (New) The golf ball tray of claim 17 wherein the informational plaque
2 displays data relating to the user's golf game. --

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REMARKS

In the present application, a single claim appears to be pending and it stands rejected. Independent claim 1 is deleted herein and replaced with independent claim 2 and dependent claims 3-10 to obviate the grounds of rejections based on art and set forth in the outstanding Action as well as to correct the informalities in the claim language as identified by the Examiner. Additional claims identified as 1 through 3 appear to have been forwarded to the USPTO, but never introduced as an official part of the prosecution. However, if necessary, consider these three claims deleted herein and new claims presented herein renumbered accordingly.

Objection to the Claims

At paragraph 1 of the Office Action dated July 26, 2002, the Examiner objected to the claims stating that the claim 1 is numbered 1a, 1b, 1c, etc. It is stated that the claim has been considered by the Examiner as one claim since there is no indication that further limitations were dependent from a base claim. It is believed that the new claims presented herein fully address and overcome the outstanding objections to the informalities present in the initially filed claims.

Objection to the Drawings

At paragraph 2 of the Office Action dated July 26, 2002, the Examiner objected to the drawings because measurements are not needed in the drawings to show the size of the device. In order to obviate this outstanding objection to the drawings, a new drawing is submitted herein to bring the drawings of record into full compliance with the USPTO requirements.

35 U.S.C. 102 Rejections

Claims 1 stands rejected under 35 U.S.C. 102 as being anticipated by Affeldt (US 1,530,538). In response, new claims 2 through 18 are presented herein to more clearly distinguish the present invention from the prior art.

Specifically, the Office action states in part that Affeldt discloses a base unit display comprised of a predetermined area 24 for holding advertising indicia or instructional literature and a predetermined area 14 for holding golf balls. The predetermined area 24 for the advertising indicia has indentations for removing the indicia. Lastly, the Examiner states that "means 32 are also included for holding other related equipment."

The base reference cited (Affeldt) discloses a simple "tee stand" for displaying "an indicia concerning the number of the green and the distance in yards, the arrow director being pointed in the direction of play", see lines 91-94. Additionally, the cited reference discloses means for securing cleaning apparatus, e.g. brush and towel for cleaning golf balls, and course maintenance items such as sand and water. To the contrary, as now claimed in new claims 2 through 18, the present invention sets forth a unique and nonobvious design wherein golf balls may be secured or held in a manner that allows for easy access by a golfer who is practicing, while at the same time offering a novel technique for displaying and readily changing selected indicia which may be instruction, advertising or otherwise directed. Not only does Affeldt not disclose ready access to golf balls for practice, but the one mention of displayed indicia is not contemplated as being frequently and easily changed.

In addition to the 35 U.S.C. 102 rejection discussed above, the Examiner references some other prior art that is made of record and not relied upon as being considered pertinent to applicant's disclosure. Specifically, the Examiner cites Wittek, Sr. et al. (US 5,586,942) discloses a device for holding golf balls and other equipment and Simon et al. (US 4,494,658) discloses a display with removable signs.

The Applicant contends that the comments presented above in combination with the amendments made herein to the independent claims clearly set forth elements and


features that are not disclosed nor taught by the prior art of record. In this regard, the Applicant also contends that it thus follows that each of the associated dependent claims is likewise distinguishable from the teachings of the prior art of record. Therefore, no additional comments are believed necessary with regard to the specifics of any of these dependent claims.

Request for Reconsideration Pursuant to 37 C.F.R. 111

Having made a good faith effort to respond to each and every ground for objection and rejection in the Office actions mailed July 26, 2002 and September 18, 2002, the Applicant requests reconsideration of the instant application pursuant to 37 CFR 1.111 and requests that the Examiner allow claims 2-18 and pass the application to issue.

Respectfully,

By


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